

Resolution #TC-3007

Approval of Abandonment of a portion of SH50
Also known as 8th Street in the City of Pueblo

Approved by the Transportation Commission of Colorado on: August 16, 2012

Project #: AD 9 (4)
Location: 8th Street at SH50
Municipality: City of Pueblo

WHEREAS, The Department of Transportation owns 1324.5 linear feet of 8th Street ("the Property"), a city street in Pueblo, Colorado that stops just short of connecting with the southwest side of State Highway 50 (SH 50);

WHEREAS, the Property was acquired as part of project AD 9(4) and was intended for use as an interchange at 8th Street and SH50, as shown and described in Exhibit A and Exhibit B;

WHEREAS, the subsequent design and construction of a full diamond interchange at SH50 and 4th Street took away the need to build an interchange at 8th Street;

WHEREAS, the eastern boundary of the Property will create a new westerly ROW line for SH 50;

WHEREAS, Region 2 has determined that abandoning the Property is in the best interest of Colorado taxpayers;

WHEREAS, the Colorado Revised Statutes 43-2-106 (1) (a) provides that the Transportation Commission may determine that a State Highway, or portion thereof, no longer functions as a State Highway, and with the agreement of each affected county or municipality, the state highway, or portion thereof, can be abandoned to the affected county or municipality;

WHEREAS, the Pueblo City Council will pass an ordinance or resolution to accept the Property in "as is" condition and accept all maintenance responsibilities;

WHEREAS, the City of Pueblo shall take ownership of the Property, as shown and described in Exhibit A and Exhibit B;

WHEREAS, within 90 days of the date of CDOT's Transportation Commission Resolution formalizing the abandonment of the Property, CDOT will execute a quitclaim deed that will include a reversion provision stating that if the Property ever ceases to be used for transportation purposes, title to the Property will automatically revert to CDOT;

WHEREAS, the Chief Engineer, the Department of Transportation, and the Executive Director are authorized pursuant to Colorado Revised Statutes (C.R.S) 43-1-106, 43-1-110, 43-1-114, 43-2-101, 43-2-106, 43-2-110, 43-2-144, and 43-2-303, to make determinations regarding abandonment of State Highway(s) to affected county(ies) or municipality(ies);

WHEREAS, the Transportation Commission concurs with the Chief Engineer that 8th Street beginning at a newly created westerly right of way line of SH50 and continuing to the west for 1,324.5 feet is no longer needed for the State Highway purposes;

NOW THEREFORE BE IT RESOLVED, pursuant to the provisions of the C.R.S, Sections 43-1-106, 43-1-110, 43-1-114, 43-202.7, 43-2-101, 43-2-106, 43-2-110, 43-2-144, and 43-2-303, the Department of Transportation be given authority to declare that portion of SH 50, as shown and described in Exhibit A and Exhibit B, abandoned.

Herman F. Stockinger III

Herman Stockinger, Secretary
Transportation Commission of Colorado

8-22-12

Date